

FAQ's

Berkshire Township & Village of Galena

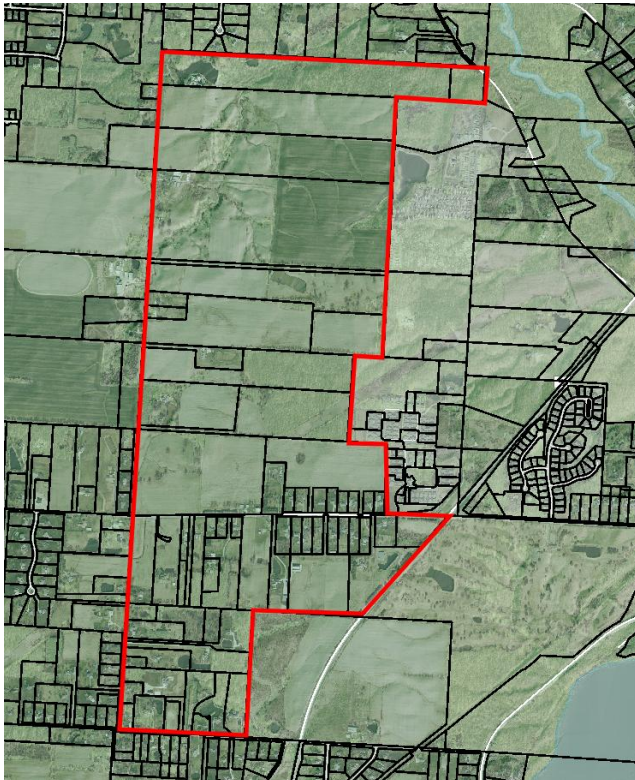
Cooperative Economic Development Agreement (CEDA)

What is a Cooperative Economic Development Agreement (CEDA)?

A Cooperative Economic Development Agreement (CEDA) is a legal agreement in Ohio that lets local governments like cities, villages, townships, and counties work together on economic development projects. It helps communities share things like infrastructure, tax incentives, and revenue to attract businesses and create jobs, without having to annex land. CEDAs give more flexibility than Joint Economic Development Districts (JEDDs) because they can also include counties, the state, or even private partners.

Why is a CEDA being considered for Berkshire Township & the Village of Galena?

Berkshire Township and the Village of Galena see value in partnership through a CEDA. The CEDA helps Berkshire Township protect its borders by securing the ability for residents to tap into the Village of Galen's sewer district and lowers the risk of potential annexation by entering into a non-annexation agreement with the Village. The CEDA allows the Village of Galena to diversify its revenue to improve its infrastructure. Please view the map for the area considered for the CEDA. This area covers North of Plumb Road, East of Rome Corners Road, South of end of Renee Court, and West of the current Village of Galena boundary, except for Black Hawk and the Wright property. The specific parcel numbers included in the proposed area can be found in the CEDA available on the Township's and Village's websites.



Why is this the Potential Cooperative District?

This Cooperative District represents area where the East border of the Township meets the West border of the Village. Because of this, the Cooperative District would accomplish the goal is stopping annexation and preserving each jurisdiction's current boundaries. The Cooperative District ends at Rome Corners Road because Rome Corners is the end of the Village's sewer service area set by the Ohio EPA.

Who Would Be Responsible for Planning & Zoning?

Berkshire Township would oversee the Planning & Zoning for the areas included in the CEDA.

What is the Planned Zoning and Land Use for the Cooperative District?

There is no current plan to change the zoning in the Cooperative District. Berkshire Township's land use plan will control this area. The current zoning allows for 1 house per acre on lots served by sewer, otherwise Agricultural-1 zoned lots, require 5 acres per home, and Farm Residential-1 zoned lots, require 1.95 acres per home.

As part of the CEDA, the Township will determine if any change is wanted in the area. The Village will be able to provide comments to this process, but the Township will be the entity in control of whether any change is made. If there is a proposed change to the zoning in the Cooperative District, the Township will follow its normal public hearing procedure and will receive additional public comments.

Where can I Find Examples of CEDAs in Ohio?

- **Medina and York Township:** Covers 14 parcels (approx. 273 acres) for commercial growth along key roads.
- **New Albany and Jersey Township:** Protects 10,000+ acres post-Intel annexation, with shared development standards and revenue.
- **Statewide Resources:** Review full texts via local government websites or the Ohio General Assembly's Lawriter (codes.ohio.gov). See Ohio Revised Code Section 701.07.

What are the Benefits of a CEDA?

CEDAs provide mutual advantages for participating entities:

- **For Townships:** Retain control over land use, avoid annexation threats, gain access to municipal utilities (e.g., water and sewer), and share in income tax revenues from new developments without losing property tax authority.
- **For Municipalities:** Secure a portion of new tax revenues (e.g., income taxes) from developed land outside city limits, promote regional growth, and extend services like planning expertise.
- **For Counties:** Coordinate broader regional development, including infrastructure investments.
- **Overall:** Encourage cooperative planning, reduce inter-jurisdictional conflicts, and attract businesses by offering streamlined incentives like tax abatements.

For example, recent agreements, such as the one between Jersey Township and the City of New Albany (approved in October 2024), protect over 10,000 acres of township land while allowing shared revenue from joint economic districts.

What does a Typical CEDA Include?

While customized to local needs, CEDAs commonly cover:

- **Territory Description:** Specific parcels or areas for development (e.g., 273 acres along roads in Medina's York Township agreement).
- **Economic Incentives:** Application of tax abatement statutes, shared income/property taxes, and utility extensions.
- **Infrastructure and Services:** Commitments for roads, water, planning guidance, or zoning alignment.
- **Revenue Sharing:** Formulas for distributing new taxes (e.g., municipalities receive 50-100% of income tax from JEDD-like zones within the CEDA).
- **Duration and Termination:** Often 20-50 years, with provisions for breach remedies (e.g., 90-day cure period before legal action).
- **Dispute Resolution:** Mechanisms for enforcement, such as mediation or court action.

How is Annexation Addressed within the Cooperative District?

While this agreement is in place, neither the Village nor the Township can facilitate or accept an annexation of land within the Cooperative District. The Village agrees not to bring any part of the area into its boundaries, and the Township agrees not to let any other city or village do so unless the Village's council gives formal approval.

What is the Current Proposed Term of the Agreement?

The agreement will last for 50 years, starting from when the first JEDD agreement in the district takes effect. After that, it will automatically renew for two more 25-year periods, unless either party gives written notice at least two years before the current term ends.

Why is the Proposed Term of the Agreement a Minimum of 50 years?

50-year terms are standard in CEDAs. This term is standard because it allows the parties to rely upon the CEDA's terms and to make long-term plans without fear of a change in understanding. It allows for a township and municipality to work together on long-term planning instead of forcing each to look to the short term.

Is a JEDD Agreement also being Considered as Part of this CEDA Arrangement?

Yes. The Township and Village plan to create Joint Economic Development Districts (JEDDs) as part of this agreement. A JEDD is the applying of the Village's income tax over the area even though the area will remain in the Township. The Township and Village will work together to expand the JEDDs when needed

if there is new development. Revenue from the JEDDs will be split evenly—50% to the Village and 50% to the Township.

My Property is Located within the CEDA Boundary. Will I pay Additional Taxes if this Passes?

No! This agreement only affects how Berkshire Township and the Village of Galena will work together for utility service and planning in the area. As a result of the CEDA, no new taxes will apply to any current resident or future resident who farms or lives in a single-family home unless and until they decide to redevelop their property and access Village utilities.

So, who would pay additional taxes?

Only the owners of a property requiring a development plan, like a planned subdivision, commercial property, or a mixed-use development will be subject to any income tax or additional property tax. You will not pay any additional tax if you continue to use your property the way it is being used today. This includes any heirs or any person who may buy the property.

Any person who builds a home addition, new single-family home, shed, barn, outbuilding will not be subject to any additional tax unless the new building requires the Township pass a development plan.

How will incentives work within the Cooperative District?

All net revenue from economic development incentives, if used, will be shared equally, with 50% going to the Village and 50% to the Township. To help fund public infrastructure, the Township may also create a New Community Authority (NCA) in parts of the district. The NCA can collect Community Development Charges (a set property tax millage similar to special assessments). These charges will be used to act as payment in lieu of taxes to Big Walnut Local Schools and the BST&G Fire District if necessary or to assist in creating public infrastructure. If any or all funds of the NCA aren't tied to a specific project or costs, the millage shall be divided pro rata so that 2 mills go to the Township and 6 mills go to the Village.

Why would the Village of Galena want to enter into the CEDA?

A CEDA Demonstrates the Village's desire to work cooperatively with Berkshire Township to manage the extensive growth in and around our communities thoughtfully and strategically. A CEDA allows the Village to remain a village. We can grow revenues for the Village responsibly, without unnecessarily growing our borders through annexation. Once this partnership is established, our communities can Grow Together to address other area of need for our residents such as expansion of the CEDA, dedicated police support, etc.

Why would Berkshire Township want to enter into the CEDA?

The CEDA would provide stability for the Township and preserve its boundaries without fear of annexation in the cooperative district. In turn, the Township will maintain control over the zoning and use of the property. Further, if development occurs in the next 50-100 years, the Township will receive an increase of total funds because of the JEDD to use for the benefit of the Township and residents. The CEDA also serves as a starting point for future partnership with the Village to better serve residents.

How will other critical services be provided within the Cooperative District?

- **Police:** Law enforcement will be handled by the Delaware County Sheriff's Office, just like in other unincorporated parts of the Township. Mutual aid agreements with the Village or others may also apply.
- **Fire and EMS:** Fire and emergency medical services will continue to be provided by the BSTG Joint Fire District, operating as they do now, with mutual aid agreements in place as needed.
- **Street Maintenance:** The Township (or, when applicable, the County or ODOT) will handle street maintenance and repairs unless both the Township and Village agree in writing for the Village to take over. Funding for maintenance may come from the JEDD, NCA, or other legal sources.

This FAQ is for informational purposes only and is not intended to be a complete description of the proposed agreement. Contact your local economic development office, township trustees, Village Mayor or Village Administrator to initiate further discussions.